

DEC 07 2004

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PATENT, TRADEMARK, COPYRIGHT
AND UNFAIR COMPETITION LAW
AND RELATED LITIGATION

EDMUND P. WOOD 1923-1968
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EDWARD B. EVANS 1938-1971

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TO: Commissioner for PatentsFax No: 703/872-9306Pages (including cover page): 10Date: December 7, 2004FROM: Keith R. Haupt, Esq.
Reg. No. 37,638Re: This fax includes: Amendment Transmittal; Amendment; Authorization to
Charge Deposit Account 23-3000

Serial No.: 10/764,214
Filed: January 23, 2004
Group Art Unit: 3721
Applicant: Edward A. Zumbiel and
Kevin J. Hawk

Title: OVER-WRAPPED CARTON AND
ASSOCIATED PRODUCTION METHOD
Conf. No.: 9137
Our Ref.: RWZ-77

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the
Commissioner for Patents, Art Unit 3721 at facsimile telephone
number (703) 872-9306 on December 7, 2004.

Lisa L. Tucker

Date
12/7/04

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Edward A. Zumbiel and Kevin J. Hawk

Serial No.: 10/764,214

Examiner: Paul R. Durand

Filed: January 23, 2004

Group No.: 3721

For: OVER-WRAPPED CARTON AND ASSOCIATED PRODUCTION METHOD

Conf. No.: 9137

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RECEIVED
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DEC 07 2004AMENDMENT TRANSMITTAL

- Transmitted herewith is an amendment for this application.
- ☒ Small Entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.

☐ Enclosed is a verified statement to establish small entity status.

☐ Other Than a Small Entity.
- The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)	SMALL ENTITY		LARGE ENTITY	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Addit. Fee	Rate	Addit. Fee
TOTAL	*20	MINUS	**20		x 9	\$0	x18	\$
INDEP.	*2	MINUS	***3		x44	\$0	x88	\$
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+150	\$	+300	\$
					TOTAL FEE	\$0	TOTAL FEE	\$

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest No. Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest No. Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest No. Previously Paid for" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

☒ No additional fee for claims is required.☐ Total fee for claims required \$_____.

4. Attached is a check in the sum of \$_____.
_____ Please charge my Deposit Account No. 23-3000 in the amount of \$_____. A duplicate copy of this sheet is attached.

5. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

Complete (a) or (b) as applicable.

(a) _____ Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

<u>Extension (months)</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
_____ one month	\$ 110.00	\$ 55.00
_____ two months	\$ 430.00	\$ 215.00
_____ three months	\$ 980.00	\$ 490.00
_____ four months	\$1,530.00	\$ 765.00
_____ five months	\$2,080.00	\$1,040.00

Fee: \$_____

_____ Please charge my Deposit Account No. 23-3000 in the amount of \$_____. A duplicate copy of this sheet is attached.

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

_____ An extension for _____ months has already been secured. The fee paid therefor of _____ is deducted from the total fee due for the total months of extension now requested.

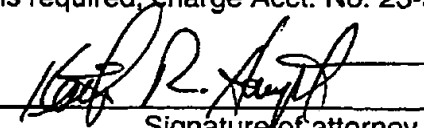
Extension fee due with this request \$_____.

OR (b)

X Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

X If any additional fee for claims or extension is required, charge Acct. No. 23-3000.

2700 Carew Tower
Cincinnati, Ohio 45202
(513) 241-2324



Signature of attorney

Keith R. Haupt
Type name of Attorney

Reg. No. _____ 37,638 _____

CERTIFICATE OF FACSIMILE TRANSMISSION

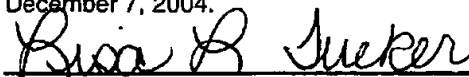
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Lisa L. Tucker
Lisa L. Tucker

12/7/04
Date

CERTIFICATE OF FACSIMILE

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Date

12/07/04**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Serial No.: 10/764,214
Filed: January 23, 2004
Group Art Unit: 3721
Examiner: Paul R. Durand
Applicant: Edward A. Zumbiel et al.
Title: OVER-WRAPPED CARTON AND ASSOCIATED PRODUCTION METHOD
Attorney Docket: RWZ-77
Confirmation No.: 9137

Cincinnati, Ohio 45202

December 7, 2004

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE

This paper is in response to the Office Action mailed September 10, 2004.

Consideration of this response is respectfully solicited at this time.

Remarks begin on page 2 of this paper.